

**Town of Needham  
Board of Selectmen  
Minutes for November 25, 2014  
Powers Hall  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman John A. Bulian. Those present were Maurice P. Handel, Matthew D. Borrelli, Daniel P. Matthews, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing: Application for a License to Store Propane Fuel Underground at 72 High Rock Street:  
John Flaherty, Osterman Propane appeared before the Board requesting a license to store 1,000 gallons of propane underground on the property owned by Bhuren Patel, located at 72 High Rock Street, Needham.

Kate Fitzpatrick, Town Manager indicated all paperwork is in order.

Mr. Bulian invited public comment. No comments were made.

**Motion by Mr. Borrelli that the Board of Selectmen vote to approve and authorize the Chairman to sign a license for John Flaherty of Osterman Propane to store 1,000 gallons of propane underground on the property owned by Bhuren Patel, located at 72 High Rock Street with the following restrictions: 1. That the petitioner and each succeeding property owner agree to contract for an annual tank and plumbing compliance check making sure that the entire system is checked for leaks; and further, making sure that every element satisfies local regulations and industry standards with evidence of such a systems check sent to the Needham Fire Department and 2. the tank, with all its piping and equipment; and the system when installed will fully meet U.S., State, and local code regulations, specifications, and directives.**  
**Second: Mr. Handel. Unanimously approved: 5-0.**

7:04 p.m. Appointments and Consent Agenda:  
**Motion by Ms. Cooley that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.**

**APPOINTMENTS - There were no Appointments at this meeting.**

**CONSENT AGENDA**

1. **Accept the following donation made to the Needham Health Department's Gift of Warmth fund: \$250 from Copley Motorcars Corporation in Needham, and \$1,000 from the Needham Women's Club.**
2. **Accept the following donations made to the Needham Health Department's Domestic Violence Action Committee: \$25 from Louise Condon Realty, Inc. of Needham, \$25 from Colin and Mary Coleman, residents of Needham, and \$25 from John and Janet Bulian, residents of Needham.**
3. **Accept the following donation made to the Needham Fire Department's Student Awareness of Fire Education program: \$250 from the Needham Exchange Club.**
4. **Approve a Special One Day Wines & Malt Beverages License for Karen Calton, of St. Joseph Parish to hold its Saint Nicholas Day Dinner on Saturday, December 6, 2014 from 5:00 p.m. to 9:00 p.m. The event will be held at St. Joseph Parish, 90 Pickering Street, Needham.**
5. **Accept the following donation made to New Year's Needham : \$500 from Innovative Distributing Concepts (Bin Ends), and \$250 from Brookline Bank.**
6. **Approve Minutes from November 12, 2014 meeting.**
7. **Water & Sewer Abatement Order No. 1188.**
8. **Accept donation made to the Park and Recreation Commission of two gift certificates for an up to 15lb. turkey from Roche Bros. Supermarkets for the annual Turkey Hunt special event.**
9. **Approve request for Masala Art to have extended operating hours on New Year's Eve, December 31, 2014 until 1:00 a.m. Last call will be 12:30 a.m., customers off premises at 1:00 a.m. and all staff will leave premises by 1:45 a.m.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:05 p.m.

**Sale of Notes:**

Dave Davison, Assistant Town Manager/Finance and Evelyn Poness, Town Treasurer/Collector appeared before the Board to review the results of the bond anticipation note (BAN) sale with the Board. They asked the Board's approval.

**Motion A**

**Motion by Mr. Handel to approve the sale of a \$1,330,000 General Obligation Bond Anticipation Note of the Town dated December 1, 2014, payable April 15, 2015 (the "Notes"), to Century Subsidiary Investments Inc. III at par.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

**Motion B**

**Motion by Mr. Handel that in connection with the marketing and sale of the Notes, the preparation and distribution of Notice of Sale and Preliminary Official Statement, dated November 14, 2014, as amended, and a final Official Statement, dated November 19, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

Motion C

**Motion by Mr. Handel that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note, as applicable, for the benefit of the holders of the Note from time to time.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

Motion D

**Motion by Mr. Handel that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

The Board signed the documents associated with the Sale of Notes.

7:12 p.m.

Recognize Retiring Fire Chief Paul Buckley:

Paul Buckley, Fire Chief and Denise Garlick, State Representative appeared before the Board.

Mr. Bulian read a Certificate of Appreciation recognizing Paul Buckley, who will retire on December 12, 2014, after twenty-eight years of distinguished service to the Town of Needham and the Needham Fire Department, with ten years of service as Fire Chief.

The Board congratulated Chief Buckley and thanked him for his contribution and service to the Town.

Kate Fitzpatrick, Town Manager said Chief Buckley has been a joy to work with and will be missed.

Denise Garlick, State Representative, presented Chief Buckley with a Resolution from the House of Representatives. She stated a Resolution is legislation voted upon which becomes part of the history of the Commonwealth, and is a symbol of gratitude of the Town and Commonwealth. Ms. Garlick said Chief Buckley is an incredible strength of the community. She congratulated and thanked Chief Buckley for his years of service and friendship.

Chief Buckley thanked the Town, saying his success is due to working with fantastic people at every level. He said he was blessed to have had the opportunity to work in Needham.

7:25 p.m. Public Hearing: Sudbury Aqueduct Trail:  
Kate Fitzpatrick, Town Manager and Patty Carey, Director of Park & Recreation appeared before the Board with information about the proposed Sudbury Aqueduct Trail and to answer any questions from the Board and the public.

Ms. Fitzpatrick stated the Massachusetts Water Resource Authority, partnering with state agencies, has opened up the Sudbury Aqueduct for communities to use as recreational trails.

A presentation was viewed, detailing the proposed aqueduct system within the Town of Needham, stretching from the Charles River at the Newton city line and terminating at the Wellesley town line. Ms. Fitzpatrick said the trail in Needham would be used for passive recreation only, including walking, jogging, biking, and cross country skiing. She noted no motorized vehicles would be allowed, except emergency vehicles. She also stated maintaining the trail would not burden Town staff, as the MWRA will continue doing most of the trail maintenance. Ms. Fitzpatrick said the Town would commit to making trail, crossing, and sidewalk improvements over time.

Ms. Fitzpatrick asked the Board for authorization to submit an MWRA 8(m) permit application allowing the Town to participate in the Sudbury Aqueduct Trail program.

Mr. Bulian read an email from Sharon and Leonard Soltzberg, 16 Alfreton Road in support of a walking trail with connections to nearby streets and neighboring towns.

Mr. Bulian opened the hearing and invited public comments.

Jonathan Moll, Vice President and General Counsel, Babson College and Joanne Kossuth, Vice President for Operations and CIO, Olin College said both colleges support the establishment of the trail and would work with the Town to “fine tune” some of the details of the trail on each campus. He said trail signage should be uniform and located in places consistent with campus signage. He said both colleges are concerned with folks walking across the campus’, and would want to retain the right to address anyone in violation.

Steve Watras, 38 Parkland Road said he has been a resident for thirty-two years and that his house is seven feet from the aqueduct. He stated there have been motorbikes on the aqueduct over the years, and hopes the issue doesn’t get worse once the trail is in use. He asked that the Town address the issue if necessary. He asked for privacy screening, as there is direct visibility from the trail to his back deck and house.

Paul Sammarco, 11 Hamilton Place said people can't access the Sudbury Aqueduct on his street without crossing his property. He is concerned more people will be on his property once the trail is in use. He asked what he could do to keep people from walking across his lawn and next to his car to access the trail. He noted he is not able to put up a fence, as the MWRA accesses the area annually to cut brush back along the aqueduct.

Robert Bucelwicz, 1 Arnold Street said people frequently park on the sidewalk to access businesses on Reservoir Street. He suggested marking the area to prevent people from parking on the sidewalk. He also stated the sidewalk on Central Avenue at the Route 128 overpass is overgrown. He asked that it be properly maintained.

Tom Daly, 3 Mary Chilton Road asked about the timeline for the project. He is concerned about the sidewalk design at Mary Chilton Road, as his house abuts the aqueduct property.

Mr. Bulian closed the public hearing and asked for Board comments.

Mr. Borrelli asked who is responsible for the design of the path on the roads and through Babson and Olin Colleges.

Mr. Matthews asked about the current status of the Wellesley portion of the project. He commented on the issues for different property conditions. He said it is an opportunity for the Town to do what it can for abutters and people who live in the neighborhoods near the aqueduct, to ensure the enjoyment of their property is protected.

Mr. Handel asked about the surface of the trail and maintenance.

Ms. Cooley said it would be ideal if people walked to an aqueduct entrance, and thought the Town could suggest places where people could enter the trail, so as not to impact the neighborhoods too much.

Ms. Fitzpatrick said the Town hopes to encourage appropriate parking places to discourage people from parking on private property.

**Motion by Mr. Handel that the Board vote to authorize the Town Manager to submit an MWRA 8(m) permit application to allow the Town to participate in the Sudbury Aqueduct Trail Program.**

**Second: Ms. Cooley. Unanimously approved: 5-0.**

7:55 p.m.

DPW Project Update:

Richard Merson, DPW Director appeared before the Board with an update on a number of construction projects and design projects throughout Town.

Mr. Merson commented on the potential storm due to arrive on Wednesday before Thanksgiving. He stated the field at Memorial Park will be cleared of snow in time for Needham to host Wellesley in the annual football game.

Mr. Merson said it has been a very busy season at the DPW which included construction, electric/gas utilities upgrades, and paving projects. He referred to a list titled "DPW Project Status Report" dated November 25, 2014 and commented on various construction, design, and community projects. He noted construction projects included the water main replacement at Oak St/Chestnut St/School St, a storm drain installation at Gayland Rd., as well as construction of the Off Leash Dog Park. Mr. Merson discussed design projects including the Downtown Improvement project, the Central Avenue/Eliot St. Bridge project, and the Memorial Park Drainage project. Mr. Merson said the DPW also worked on various community projects including support of the Facility Master Plan, the Landfill Solar Project, and the MDOT - Rout 128/I-95 Add-A-Lane project.

Mr. Bulian asked for Board comment.

Ms. Cooley asked about NSTAR paving, use of the area near the salt shed, and the grant for purchasing 2 electric vehicles which required a public charging station.

Mr. Borrelli asked if the salt shed was fully stocked.

Mr. Handel asked if storm drainage improvement work has been effective. He asked whether the infrastructure is adequate, in the long term, to handle more frequent and excessive precipitation.

The Board thanked Mr. Merson for the presentation.

8:15 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with three items to discuss:

1. Preliminary FY16-FY20 Capital Improvement Plan

Ms. Fitzpatrick discussed the preliminary FY2016 cash capital and debt-financed project submissions. She said the FY2017-FY2020 projects will be discussed at the Selectmen's meeting on December 9, 2014, and final approval of the Capital Improvement Plan will be sought at the Board's December 23, 2014 meeting.

Ms. Fitzpatrick highlighted several projects including High School Classroom Expansion, DeFazio Permanent School, DeFazio Temporary Modular School, and Hillside Elementary School Renovation. Ms. Fitzpatrick commented on DPW projects including Cooks Bridge and the Public Works Infrastructure Program. Ms. Fitzpatrick also said that the Public Facilities Maintenance Program has been increased. Ms. Fitzpatrick commented on the Cricket Field Building Renovations

and proposed it be delayed pending further discussion of the Facility Master Plan, as well as prioritization of a number of recreation projects by Park & Recreation. Ms. Fitzpatrick also commented on the Mills Field Improvement and the Newman School Fields Renovation projects. She said staff is available for any presentation the Board may be interested in hearing more about.

2. FY2016 Community Preservation Projects

Ms. Fitzpatrick updated the Board on the status of previously funded and proposed CPA projects, including design funding for a canoe launch at South Street/Dedham Avenue. She said that while the property is not under the jurisdiction of the Board of Selectmen, she asked the Board endorse the project.

Ms. Fitzpatrick also asked the Board to authorize submission of a supplemental appropriation request to CPA for completion of the Rail Trail project.

**Motion by Mr. Handel that the Board vote to endorse an application for Community Preservation funding for canoe launch improvement design, and to authorize the Town Manager to submit an application for supplemental funding for the Rail Trail construction project, if needed, for funding at the 2015 Annual Town Meeting.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

3. Town Manager Report

Ms. Fitzpatrick wished the Needham High School football good luck in their game on Thanksgiving morning. She also congratulated the Needham High School boys soccer and girls cross country teams on winning the Division 1 State Championships.

Ms. Fitzpatrick reported a public hearing will be held on the Highland Avenue Turnback project on December 3, 2014.

Ms. Fitzpatrick noted an article in the Sunday, November 23, 2014 edition of Boston Globe about Needham's Blue Tree. She said that while this is the last year of this particular tree, a new tree will be planted on the Town Common after the New Year. She noted the "Needham Lights" celebration on the Town Common which will take place on the weekend of December 5th.

Board Discussion:

1. Committee Reports

No Committee Reports were made.

Mr. Bulian wished the Needham High School football team good luck in the game on Thanksgiving morning and wished residents a Happy Thanksgiving.

8:45 p.m. Executive Session - Exception 2:

**Motion by Mr. Matthews that the Board of Selectmen vote to enter into Executive Session.**

**Exception 2 - To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. Not to return to open session prior to adjournment**

**Second: Mr. Borrelli. Mr. Bulian polled the Board. Unanimously approved 5-0.**

**A list of all documents used at this Board of Selectmen meeting are available at:**

**<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>**

Note: Meeting adjourned at 9:05 p.m.



## DPW PROJECT STATUSREPORT

### Constructions Projects

16inch Replacement Water Main – Oak St/Chestnut St/School St Gayland  
Rd/Surrey Lane Storm Drain Installation  
Sidewalk/Curbing/HP Ramp Construction - Powers St, Nehoiden St/May St & Lewis St.  
Traffic Signal LED Upgrades  
Off Leash Dog Park  
St. Mary Pump Water Station Construction (PPBC Project) Support Charles  
River Well #3 Redevelopment  
CRWTF Filter Media Replacement  
Hill St. Water Main Replacement (Town Forces)  
Continuing Storm Drainage Improvements  
Purchasing 2 Electric Vehicles (Building Dept) via Grant

### Design Projects

Downtown Improvement Project Central  
Ave/Elliot St Bridge Project  
Highland Ave/Second Ave Improvements Watershed  
Management Study  
Memorial Park Drainage  
Pleasant St & Norfolk St Water Main Replacement Charles  
River Well #3 Replacement  
Irrigation Well Study Town  
Common Study  
Mills Field Improvement Project Support  
Newman Field & Eastman Conservation Trail Project Support Bay  
Colony Rail Trail Support  
MWRA Aqueduct Trail Support

### Community Projects Facility

Master Plan Support Landfill Solar  
Project Support  
MDOT - Route 128/I-95 Add-a-Lane Project  
MDOT - Highland Ave/Needham St Turn-back Project

DPW project status report  
u/25/14